(195) Department

Trees - (South Kanara) - Sale of firewood from Kumaki lands
ntinuance of the practice - With certain modifications - Order
ssed.

.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
~~G~~ O.P.	302	Rev	1-7-1896				
" Ms	1793	Rev	6-8-41				
" Ms	2916	Rev	19-12-41				
" Ms	2100	Rev	29-9-42				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	1240	Rev	15-3-56				

3-4-50

Rev. Dept

Letter from Madras No 785 C[illegible]9-2 dated 19.2.49.

No 19/2 Trees – (South Kanara) – Sale of firewood by Kumaki lands – continue of practice permanently.

The attention of the Bd. of Rev. is invited to the orders in G.O. Ms No 2-100 Rev. dated 19.9.42. The Bd. is requested to report whether the practice under which the Kumakidars in the South Kanara dt. were allowed to sell firewood from their Kumaki lands subject to the payment of annual fees to the Tahsildars still continues and if so, to offer its remarks ~~in connection with the C.C.F.'s proposal~~ on the question whether the practice should be allowed as a permanent measure. The Bd.

CR
Division 2/3
Tahsildar 10/44
Ri 3 Rh.

Tahsildar 17/44
Amildar 20/44
Tahsildar 9/45

F 13 C.F. 49 (F)

Bd. of Rev. 21/2/49
to the C.C.F.,

submit its reply in Consultation with the
F.

15/2/49

G.V. 4/2/49.

Revenue Department.
Subject.

Trees-(South Kanara). Sale of firewood from Kumaki lands. Continuance of practice proposals.

B.P.Rt.3901/50.
Station: Madras. d/20-6-50

From
Sri F. Mascarenhas. Secretary, Board of Revenue.

Sri-V.R.S. Sattianathan.I.C.S., Commissioner of Land Revenue.
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Read:
From the Govt.memo.Rev.Dept,no.780.C.39.2 d/19-2-49.
Board's Ref.B.1967/49-1 d/1-3-49.
From the Collector of South Kanara, D.Dis.5274/49 d/10-3-49 with enclosures.
Board's Ref.B.1967/49-2 d/30-8-49.
From the Chief Conservator of Forests,Ref.no.3293/49.E.2 d/3-11-49
Board's Ref.B.1967/49-4 d/9-12-49.
From the Chief Conservator of Forests,Ref.no.3293.49.E.2 d/14-12-49.
Board's Ref.B 1967/49-4 d/4-1-50.
From the Collector of South Kanara,no.D.Dis.21527/49.B.1 d/11-3-50 and enclosure.

Board's Ref.B.1967/49.1 d/1-3-49.
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The practice under which the Kumakidars in the South Kanara District were allowed to sell firewood from their Kumaki lands subject to the payment of Tanah fees to the Tanahadars still continue. The existing practice under this system is for the kumakidar to sell the firewood and for the purchaser to apply to the Tahsildar for a permit to transport it from the Kumaki lands. The Tahsildar would issue a permit after enquiry and the permit holder would pay the seigniorage value of the firewood at the tanah when the firewood is transported to th towns. The tannah fees fixed are equivalent to the seigniorage rates prescribed for firewood.

2. On account of the high price of firewood prevailing at present the existing system has given rise to certain abuses. Under the rules only firewood trees are to be removed from kumaki lands, but in practice it has been observed that classified and reserved trees are also removed stealthily on the pretext of removing firewood trees. 12) Similarly experience has shown that though permits are issued subject to the condition that the tannah fees are paid at the tannah, there is no check to see that the permit holder takes the firewood to the tannah with the result that he may take a route which passes by a tannah, or sell the firewood in the suburbs of a town before reaching the tannah . 3) There have also been complaints against the tannahadars that they are making illegal collections, and recently in one case the allegation was found to be true by the Revenue Divisional Officer, Coondapur . The right of checking permits at the tannahs is sold annually for large sums on account of the competition among the bidders brought about by trade jealousy. The bids when compared with the number of permits issued show heavy loss to the tannahadar. In view of the keen competition to bid every year I do not think that the Tannahadars are incurring heavy loss every year; and the only inference is that they are making illegal collections. On account of these abuses, the Dt.Forest Officer, South Kanara and the Rev.Divisional Officers, Puttur and Coondapur had at first proposed the abolition of the whole system of allowing t Kumakidars to sell firewood from their kumaki lands. p.t.o.

3. This sytem of allowing kumakidars to sell firewood from their kumaki lands was in vogue ever since the Forest Act and the Rules were framed. It is one of the factors that induces the Kumakidars to conserve the trees growth in their kumki lands, and if the system is discontinued, the kumakidars will not take interest in conserving the tree growth. Further the system is a source of firewood supply to the towns of this district, and if the practice is discontinued at present it may lead to shortage of firewood , and the consequent increase in its price. It is therefore not desirable to discontinue the practice at present.

4. However, in order to check the abuses in the existing practice the following modifications are proposed in the proceedure to be followed in the grant of permits.

1. The permits for removing fuel from kumaki lands may be issued by the Tahsildars to the Kumakidars direct after payment of seigniorage fees into the sub treasury concerned, thereby abolishing the practice of having tannahas in the outskirts of the several towns.

2. The existing seigniorage fees was fixed several years ago in 1921 , and it is many times less than the current market price of firewood. The Dt. Forest Officer has therefore recommended that the existing seigniorage value may be enhanced by four times for firewood and timber and I agree with him. On a further consultation the District Forest Officer and the Revenue Divisional Officers have agreed for the continuance of the practice with these modifications.

5. In these circumstances I recommend that the Board may be pleased to allow the continuance of the existing practice of selling firewood from the kumaki lands subject to the modifications proposed in para 4 above. The modified proceedure may be followed for a period of three years and its working ordered to be reviewed at the end of the period with reference to the conditions existing then. Copies of the reports of the Dt.Forest Officer in the matter are enclosed. The further modification suggested by the Dt.Forest Officer that the permits may be issued by the Karnams is not feasible as they cannot be entrusted with such a responsibility of issuing the permits in such cases after collecting the seigniorage value.

Sd. x x d/10-8-49
For. Collector, South Kanara.

Copy of lr.no.Rc.no.649.49.C.3 d/28-3-49 from the Dt. Forest Officer, South Kanara, Mangalore to the Conservator Forests, Ootacamund, Ootacamund, through the Collector of South Kanara.

Office note.

Sub: Trees. South Kanara. Sale of firewood from Kumki land: continuance of practice.

Read: Government memo no.780.C.49.2 Rev.Dept d/19-2-49.

The question of kumki rights in South Kanara district is a handy subject which has been claiming attention of various collectors of the District and the Dt.Forest officers for the last nearly 30 years and I am adding my quota to that.

2. In G.O.no.302 Revenue, d/1st July 1896 communicated in the proceedings of the Board of Revenue(Land Revenue)Forest no. 350 d/7th August 1896 , 'Kumaki' is defined as Government waste land within 100 yards of assessed lands included in wargs formed prior to fasli 1276. The privileges which a kumkidar could enjoy over his kumki land is also defined in paragraph II of the said G.O which are(contd.)

agricultural and domestic purposes in the village in which such kumki is situated or in such other village as the Collector may permit in writing.

c) That the aforesaid privelleged shall in no way be alienated except with the land to which they are attached.

d) Th remove timber firewood and charcoal for purposes other than agricultural and domestic use on payment of seigniorage fee fixed by the Collector.

3. The privileges mentioned in item 3 were revised under section 26 of the Madras Forest Act as rule 7 as per notification no.505 of Fort.St.George Gazette d/5-11-1907. As per rule 7A under Section 26 of the Madras Forest Act the trees timber and other forest produce of a kumki land may be enjoyed by the kumkidar for his bonafide agricultural and domestic purposes but not for sale. By introducing this rule it is the intention of the Government to discontinue the practice of levying seigniorage fee for timber , firewood and other forest produce removed from Kumki lands as this land which is at the disposal of the Government is given to the kumkidars to help in collecting green manure for their fields firewood for their domestic use and fodder for their cattle.

4. In the year 1930, the Collector of South Kanara in his R.Dis 2335/50 d/4-2-1931 has permitted collection of seigniorage fee for sale of firewood from kumki lands. But a condition was imposed that only unclassified species of timber is to be felled for firewood and that no reserved or classified speciments are to be felled. There were no practical difficulties in enforcing this rule as it was not possible to identify the reserved classified and unclassified species when once the trees was felled and billetted. If a cart is loaded with firewood or in stock of firewood it is not practicable to pick out billets of different species. The Tannahadars who were the agents to check such removals cared only for their revenue and did not bother about the species.

5. The attitude of the common kumkidar a few years ago was that he was careful in preserving the growth of timber and firewood in his kumki land just as he was careful in protecting the growth in his patta land. But things have changed owing to several factors. During the last war when the demand for firewood and charcoal increased out of all proportion owing to introduction of producer gas vehicles and other contributing causes, the price of these materials also increased several fold. To ease the firewood, scarcity in towns like Mangalore where there is a large scale demand from tile factories also kumkidars were allowed to sell firewood from their kumki lands subject to the payment of tanah fees to the Tanahadars. This resulted in wholesale cutting and destruction of jungle growth in kumki lands for commercial purposes. During the course of our inspections we find only about 5% of the kumkidars preserving and looking after his kumki lands but 95% of the others care only for the immediate return by the sale of firewood and timber which is more remunerating than cultivating food crop. What is to happen to the man who has destroyed , the growth from his kumki land? How is he to get his supply of firewood, timber fodder etc for his future use? He naturally has to depend on the unreserve for the reserved forest for his necessities. Such a contingency has already arisen and removals are going on from unreserves and reserves and we are paying the penalty for not enforcing the rules as contemplated in G.O.no.302 Rev d/1896.

6. By restricting removal of firewood from kumki lands the supply position of firewood to towns like Mangalore, Coondapur udipi etc towns will not deteriorate as we find large stock of firewood stacked all along the roads awaiting transport. There is also large stock of firewood with the fuel coupe contractors and firewood merchants. The tile factory owners are complaining that they have no export order for tiles and consequen their intake of firewood is reduced and the present ruling p.t.o

price of firewood in Mangalore varies from Rs.70 to Rs.75 against the average price of Rs.90/- to Rs.95/- per chouk.

7. Hence my opinion it is not advisable to continue the practice under which the Kumakidars in South Kanara District are allowed to sell firewood from kumki lands subject to the payment of kannah fees. The kumkidars should be permitted to use the materials for his bonafide domestic and agricultural purpose and not for sale.

Sd. K.T. Matheel
Dt. Forest Officer, South Kanara.

Copy of Express lr.no.Ref.C.2721/49-C.3 d/21-7-49. from the Dt. Forest Officer, South Kanara, Mangalore to the Collector of South Kanara, Mangalore.

Office note.

Sub. Trees. South Kanara Dt. Sale of firewood from kumaki lands. continuance of practice.
Read: Collector's B.1.274/49 d/11-7-49.

In parggraph 6 of my report Rc.649.G9.C. 3 d/28-3-49 I had referred to the fuel stocks found on roadside. This fuel is from patta land, kumaki , and as well as from Government fuel coupes. Firewood from coupes like Poomalai, Sampaje, Balpe etc are not transported to Mangalore owing to the long lead. When there is demand this firewood also will be transported and sold in towns like Puttur , Mangalore etc.

2. If it is not advisable to discontinue the present practice of permitting the sale of firewood from kumaki lands, the changes suggested by the Collector may be adopted with slight modifications as given below:-

i. The karnam may be permitted to issue permits and collect seigniorage fees and the Revenue Inspector will have to check a certain percentage.

ii. With regard to the revision of the existing seigniorage rate, it may not be proper to adopt half the current market rate, as the market rate will vary from place to place and it cannot be made applicable in common to the whole division. Further the present market rate is not a steady one and it will be fluctuating now and then and we cannot be going on changing the rates once fixed, now and then according to market rate. The fixation of the seigniorage value must be more or less on a long standing basis i.e. the existing seigniorage rate was fixed in 1921 and did not materially alter up to now. So the only solution that may be feasible will be to enhance the existing seigniorage value, which is ridiculously low by four times for firewood and timber.

Copy of lr.no.Rf.3293/49.E.2 f/3-11-49 from the Chief Conservator of Forests. Madras.

Read: Board's Ref.B.1967/49-2 d/30-8-49.

In Govt. memo no.6087.C.42.1 Development d/19-2-42 Government held the view that it may not be advisable to allow the practice under which the kumakidars were selling firewood, from their kumaki lands, as a permanent measure as it permits of unlimited exploitation and is likely to result in the complete denudation of the kumakis. It was then suggested that some control may be exercised by defining "Firewood" as the wood of the trees listed by the Government as such and by reducing the number of trees in the list. In Chief Conservator's Ref. /s 2103.42.C.2 d/23-8-42 Mr.W.G. Dyson pointed out the unpracticabil of enforcing the restrictions, as it would be impossible to pick out cut pieces of forbidden species from a cartload of mixed firewood and that the restrictions would be a source of

friction and an opportunity for graft without gaining the object in view. Mr. Dyson saw no justification for permitting the exploitation of kumaki lands for the sale of firewood in the towns of South Kanara and expressed his opinion that the practice ought to be stopped after the war. Government in G.O.No.Ms. 2100 Revenue, d/19-9-42 ordered that the question was deferred for the duration of the war.

2. It was in the year 1930 by an order of the Collector of South Kanara that the collection of seigniorage fee for sale of firewood from kumaki lands was introduced as regular system and in spite of the restriction imposed that only unclassified species were to be felled, the concession has as been ruthlessly abused and classified trees and even valuable reserved trees were removed stealthily on the pretext of removing firewood trees. The Collector of South Kanara has dealt with the abuses in para 2 of his letter to the Board d/10-8-49 and in spite of such abuses he has recommended the continuance of the system only in a slightly modified form for a period of three years from the point of firewood supply to the towns in the district. The tanah system has at least one point in its favour that it is possible to prescribe in the permit the source of fuel, the route of transport destination and the tanahs to be passed through for check and if the tanahs are abolished altogether, the same permit is liable to be misused on more than one occassion.

3. The Board's attention is also invited to the letter of the Dt.Forest Officer, South Kanara to the Collector d/28-3-1949 in which he has dealt with the abuses in greater detail. The Dt. Forest Officer has definitely stated that there is no dearth of firewood in forests outside the kumakis for supply to the towns, that generally speaking 95% of the kumakis are being exploited for firewood and timber for gaining immediate returns by the process of wholesale cutting and destruction with the result that unreserves and even reserved forests are being encroached upon. The District Forest. Officer is therefore not in favour of continuing the practice.

4. If the existence of these evils is conceded and it has been admitted both by the Collector and the Dt.Forest Officer it is obvious that the remedy is only one i.e. discontinuance of the existing system. There is frequent agitation from certain quarters in South Kanara of the excessive extent of reserved forests in the district which cannot be reconciled with the argument of shortage of fuel. The kumakis are solely intended as an aid to cultivation with certain privileges conceded to kumakidars in the free utilization of the produce for domestic and agricultural purposes as an inducement for the conservation of the kumakis . If this object is thrown cut and gives way to commercial and indiscriminate exploitation, it is only the kumakidars who have to suffer in the long run.

5. In the circumstances, I consider that the existing practice ought to be stopped altogether forthwith.

Sd.
x x x
Chief Conservator of Forests.3-11-49.

Ref:- no 3293/49-B2 dated 14-12-'49.

Read: Board's Ref.B.1967/49-4 d/9-12-49.

A copy of Chief Conservator's Ref.no.2103/49-C.2 d/23-8-49 is furnished.

Sd. D.V. Nagaratnam.
For Chief Conservator of Forests.
d/14-12-49.

Enclosure.

Copy of lr.no.Ref.2103/42.C.2 dxxx 23-8-1942 from the Chief Conservatof of Forests, Madras to Government, Development Department Madras.

Ref:- Government memo.no. 6087 c/42-1 (dev) dated 9-2-1942

It is not practicable to list species which may be p.t.o

.assed as firewood. If it is decided to proceed
ı the.~~ixin~~ lines suggested "firewood" might be
efined as the wood of any tree other than:-

. Those listed as Reserved trees on page 110 of the
orest Manual; and

. Those listed as classified trees on page 145 of the
orest Manual, adding to this list, under ~~Chxxx~~ ~~Chxx~~
lass III ~~of~~ the following; -

ophopetalum wightianum.
lstonia scholaris.
oligarna arnothiana
rodia roxburghiana
agerstroemia flosregine.
achilus Macrantha
ombax malabaricum.

This roughly, is what the conservator and the Dt. Forest
fficer have recommended. I do not however , believe that
here is the least likelihood of such an arrangement working
ı practice. With so many excluded species, the concession
ould be largely valueless if the restrictions could be enforce
he Revenue subordinates have not the botanical knowledge to do
t, and it would be impossible, to pick out cut pieces of
orbidden species from a cartload of mixed firewood at the
anah stations. The restrictions would be ~~xx~~ a source
f friction and an opportunity for graft without gaining
he object/view. /in

can see no justification for permitting the exploitation of
umaki lands for the sale of firewood in the towns of South
anara. In my opinion the practice ought to be stopped as
oon as the present extension of the privilegge has expired.
.e. after the war.

/true copy/

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rom the Collector of South Kanara, lr.no.D.Dis.2152/49.B.1 d/11
~~rom the Collector of South Kanara.~~

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ubject: Trees. South Kanara. Sale of firewood from kumki lands
ontinuance of practice.further remarks.submitted.

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ead: Board's Ref.B.1967/49-4 d/4-1-50.

In my report D.Dis.5274/49 d/10-8-49 I have dealt with the
hole question in detail and suggested the desirability of
ontinuing the present system whereby the kumkidars are allowed
o sell firewood from kumki lands, subject however to the
odification suggested in para 4 of my report. The Chief
onservator has however, suggested the scrapping out of the
hole system . His main contention appears to be
hat the concession allowed to the kumkidars is being ruthlessly
abused under cover of the system. There are no doubt abuses of
the privellage as in every other case of concessions and privileges
But the sudden and arbitrary discontinuance of a long standing
practice because it has come to be abused by some unscrupulous
kumkidars will have repercussions on and materially upset the
economy of the towns. viz. that the steady supply of firewood
would be broken thereby bolstering up the price of firewood
which is already high. No doubt this district has extensive
forest tracts, but it is doubtful whether this would ensure a
steady supply of firewood to the towns without the initiative
of the kumkidars. The Chief Conservator of Forests conceded t
95% of the kumkis are being exploited for firewood and timber.
The very fact that inspite of indiscriminate cutting and selli
of firewood the price has no tendency to decrease, is a sufficie
indication that a normal supply from "forests" would not be (c

sufficient to meet the ever increasing demand from the towns.

2. The fear of denudation of forests, in my opinion, is not real. The firewood is allowed to be cut when it is sufficiently grown, and in a few year of clearance of tree growth, a new forest is created by the system of conservation. The tree growth, in the kumki is consumed by the kumkidar, and if the present privellage is withdrawn there will be incentive for him to conserve the growth and neither the Government nor the people stand to gain by such a policy.

3. In paragraph 3 of his letter, the Chief Conservator invites the attention of the Board to the letter of the Dt.Forest Officer, South Kanara, wherein , the latter appears to have stated that even reserved and unreserved forests are being encroached upon. This can by no means be advanced as an argument against the continuance of the concession to kumkidars, as the permits issued by the Tahsildars restrict themselves to kumki lands and any encroachment by kumkidar on reserved and unreserved forest is a matter for the authorities concerned to deal with under the forest Act.

4. The agitation in the district to reduce the extent of reserved forests has no bearing on the firewood problem of the district. The agitation is confined to the interior parts of the district called the Malnad area where food crops are subjected to devastation by wild animals and the people inhabiting the area are subjected to malaria and other disabilities. It may not be proper to link the question of kumki privellages with this agitation as kumki lands are spread all over the district and the withdrwal of the existing system will adversely affect the kumkidars as well as the people all over the district.

5. It is observed that the present system was in vogue even before the year 1909, . I enclose a copy of Board's proceedings under forest no.1067.Misc. d/1-10-1909, which shows that the subject under report has been the bone of contention between the Forest and the Revenue departments for 1909.

6. For the reasons stated above, I am of the opinion that as already suggested in my D.Dis.5276/49 dated 10-8 the present system may be allowed to be continued for a period of 3 years with the modifications suggested in para 4 therein, and its working ordered to be reviewed at the end of 3 years. I venture to submit in this connection that a slight modification is necessary regarding the original suggestion made for the enhancement of seigniorage rates by 4 times. The whole question of revision of seigniorage rates on firew and timber was examined in detail separately and proposals have been submitted in my D.Dis.18438/49 d/1-3-50 for the enhancement of the existing seigniorage rates by 2 times which in my opinion , is a very reasonable rate for th reasons explained in myreport referred to.

Sd. x x x/13-3-50.
For Collector , South Kanara

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roceedings of the Board of Revenue, Land Revenue, Forest No.1067.Misc d/1-10-1909.

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he Hon'Ble Mr.R.B. Clegg, Commissioner of L.R.
ead: Letter from the Conservator of Forests, southern circle 1236 d/24-4-1909 .
ef: Forest no.1111/09 d/3-5-1908.

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ead also endorsement of the Conservator of Forests, Southern ircle no.1236 d/27-7-1909, forwarding letter from the ollector of South Kanara D.Dis.357 d/16-7-1909.

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ead : Letter from the Collector of South Kanara D.o.403 d/6-

inexpedient ~~incident~~ The Board agrees with the Collector that it is and unnecessary to impose any further restrictions on the removal of timber and other produce from kumaki lands on payment of segniorage for other than agricultural and domestic purposes. There is much force in his contention that the kumakidars are likely to be fully alive to the necessity for working the growth on these lands so as not to exhaust it and so render the lands useless as kumaki. The kumakidars have a personal interest in their kumakies which are not remote but at the edge of their fields and should they destroy the growth on them ~~of their fields and should they destroy the growth on them~~, the results are immediate and obvious. Moreover the Collector says that as a matter of fact the Conservator's view that the kumkidars work their kumakies solely for firewood and depend on the unreserves for leaf manure is in correct. In any case the only effective means of preventing the misuse of kumakies would be either for the forest department to exercise closer supervision over their working while leaving them in private hands or to reserve them and both seem impracticable. It appears to the Board moreover, that in the climate of Southkanara, with its rainfall, a dense growth suitable a dense growth suitable for leaf manure must speedily reassert itself even if the lands are clear felled.

2. The Conservator complains that the kumakidars are making a handsome profit out of the sale of timber and other produce from their kumaki lands. The Board considers that as it is they who conserve the growth it is fair that they should exploit it. If it can be shown that Government do not get a reasonable share of the profit derived from working these fields the remedy would be in raising the segniorage rates.

3. The Board attaches no importance to the alleged competition of the produce from kumaki lands with that from the Government reserve. Probably the more rest the latter enjoy, the better it is for them in south kanara as elsewhere.

4. It is of course possible , that kumakies in the neighbourhood of large towns such as mangalore are being denuded to supply firewood. The Collector is requested to keep a sharp watch for such cases and to suggest measures to check the abuse [illegible] come to light.

Sd. C.A. Parthasarathi.
Mudaliar,
For Secretary.

/true copy/

Resolution:

Submitted to the Government.

2. The Board supports the recommendations of the Collector. The Board submits that the practice may be allowed to continue for 3 years and the results carefully watched before it is converted into a permanent measure. It is the duty of the departmental officers to put down offences that may be committed under cover of rights or privileges.

3. The "Tannah System" should be abolished forthwith instead, the alternative proposal submitted by the Collector to permit firewood being cut after collecting the seigniorage fees may be approved with suitable modification to ensure that the same permit is not used more than once. In regard to the revising of the existing rates of seigniorage fees, the board is considering the matter separately, and a copy of its decision will be submitted to Government as soon as one is taken.

/true extract/ For Secretary.

To

The Secretary to Government , Revenue Department,
Fort.St.George,Madras.

TJ.20-6-1950.

Revenue Department.

Read again : G.O.No. 309, Revenue, Dated 1st July 1896.

G.O.No. 2916, Revenue, dated 19-12-1941.

G.O.No. 2100, Revenue, dated 19-9-1942.

Read Also : From the Board of Revenue, Proceedings Rt. No. 3901/50 dated 20-6-1950.

G.O.Ms. 2896 dated 6.11.50

It has been the practice in South Kanara district t permit the Kumakidars to sell firewood from their kumaki lands subject to the payment of Tannah fees to the Tannahda In 1941 the Government observed that this practice was not authorised either by the orders of the Government or by the rules framed under Section 26 of the Madras Forest Act and that they did not however propose to effect any change in the existing practice then. The Government accordingly sanctioned the continuance of the existing practice for the duration of the war.

2. Though the war ended in 1946, the conditions did no return to normal and the examination of the question was postponed from time to time. The Government have now exami the question in consultation with the Board of Revenue whether the practice under which the Kumakidars were allowe to sell firewood from their kumaki lands should be sanction as a permanent measure. The Board of Revenue has recommend

(1) that the present practice may be allowed to continue for three years and the results carefully watched before it is converted into a permanent measure,

(2) that the Tannah system may be abolished forthwit

and (3) that instead of the Tannah system, the alternative roposal submitted by the Collector of South Kanara, namely, hat permits for removing fuel from Kumaki lands may be ssued by the Tahsildars to the Kumakidars direct after pay ent of seigniorage fees into the sub-treasury concerned, ay be approved, subject to ~~xxx~~ suitable modification to nsure that the same permit is not used ~~for~~ more than once.

-7-

3. The Government accept the ~~above~~ recommendations of in para 2 above. The Board e Board of Revenue. ~~The Board of Revenue~~ is requested to vise a method and to issue suitable instructions to see that e same permit is not used more than once and to submit a copy its instructions to Government for information.

4. The Board of Revenue is also requested to submit Government ~~in the Development department~~ the report promised it in para 3 of its Reference quoted above in due course.

To the Bd of R
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of S.Kana
.. the Dev. de
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28 MAR 1951 REVENUE DEPARTMENT

1594 op G

PERSONAL ASST. SECRETARY REVENUE DEPT. MAR 1951

Revenue Department
Subject

(South Kanara) Sale of firewood from Kumaki lands-continuanc
the practice with certain modifications - orders-passed -
Instructions issued.

Ref. No.B. 10677/50-1

Madras
Dated 24th February, 1951.

rom
ri A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue, Madras.
Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

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ead:-G.O.Ms.No. 2896, Revenue, dated 6.11.50.
From the Collector of South Kanara Roc.Bl. 29399/50 dt.28.11.50.

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eference:

Submitted to the Government.

2. The Board requests that in the circumstances reported the Collector the G.O. cited may be ordered to be given effect to from 1.4.51. With reference to para 3 of the G.O. the Board submits that the Collector has been asked to suggest method for checking up the misuse of permits and on receipt his reply suitable instructions will be issued in the matter. With reference to para 4 of the G.O. it is submitted that the matter is under consideration and a report will be sent shortly.

3/- X X XX XX XXX

4/- ** ** *** ***

FOR SECRETARY.

the Secretary to the Government, Revenue Department, Madras, paras 1 and 2 only.
the Collector of South Kanara paras 3 and 4 only.
by to the Chief Conservator of Forests, Madras.

yrm. 26/2/

XXX

Le draft

17 APL 1951 DEVELOPMENT DEPARTMENT

Please see the board's reference above.
2/ In the circumstances stated the Board's
proposal that the orders in GO No 2896 Revenue, dated 6.11.50 may
given effect from 1-4-51 may be accepted. The further proposals by
Board at 3 above may be awaited. A draft memo is put up
for approval.

3146

Dev and Finance may see before

42833 12/4/51 /Dev. - Fin.

14/4/51 Dev /Fin

Revenue 1594 op 50-1

Ref Note at the bottom of p. 1 above
that the draft below may be perused
and the file passed on to Sir. Dept—

Dated 24th April, 1951

From

Shri V.P. Menon, I.C.S., Secretary, Ministry of Kayanute, Jammu
and K.C. Sahitanation, I.C.S., Commissioner of Jammu Kayanute.

Pol. D.O. Jo277/50-I

Subject: (Court Kayana) Sale of Firewood from Shrawt Kayat-Compl
of the Procedure with certain modifications - Orders-passed -
Instructions Issued.

Ref: -G.O.Ms.No. 2300, Kayanute, dated 6.11.50.
From the Collector of Shrawt Kayana No.3L. 2939/50 dt.20.
12.

Reference:

Submitted to the Government.

2. The Board requests that in the circumstances mentioned by the Collector the G.O. cited may be ordered to be given effect to from 1.4.51. With reference to para 5 of the G.O. the Board suggests that the auctions may be waived to suppress a method for obtaining the release of permits and on receipt of bids readily available instructions will be issued in the matter. With reference to para 4 of the G.O. It is submitted that the matter is under consideration and a report will be sent shortly.

3/- X X XX X(XXX

4/- ** ** *** ***

FOR SECRETARY.

To the Secretary to the Government, Kayanute Department, Kayana,
Copy to the Chief Conservator of Forests, Wadhwa.
To the Collector of Shrawt Kayana para 5 and 4 only.
para 1 and 2 only.

Ayn.954/51

Dated 24th April, 1951

From

Shri V.P. Menon, I.C.S., Secretary, Ministry of Kayanute, Jammu
and K.C. Sahitanation, I.C.S., Commissioner of Jammu Kayanute.

Pol. D.O. Jo277/50-I

Subject: (Court Kayana) Sale of Firewood from Shrawt Kayat-Compl
of the Procedure with certain modifications - Orders-passed -
Instructions Issued.

Ref: -G.O.Ms.No. 2300, Kayanute, dated 6.11.50.
From the Collector of Shrawt Kayana No.3L. 2939/50 dt.20.
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Submitted to the Government.

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3/- X X XX X(XXX

4/- ** ** *** ***

FOR SECRETARY.

To the Secretary to the Government, Kayanute Department, Kayana,
Copy to the Chief Conservator of Forests, Wadhwa.
To the Collector of Shrawt Kayana para 5 and 4 only.
para 1 and 2 only.

Ayn.954/51

Copy of South Kanara Collector's letter Rc.No.B1. 29399/50 dt. 28-11-50 to the Secretary to the Board of Revenue, Madras.

Sub:-Trees (South Kanara) Sale of - firewood from Kumki lands continuance of the practice -with certain modifications- Government order-certain instructions-solicited.
Ref:-G.O.Ms.No. 2896 Revenue Department, dated 6-11-50.

The Government in para 3 of their above order have directed the abolition of the Tannah system in this district forthwith. The right of checking permits for fire wood and timbe in the several tannahs of this district was auctioned for the financial year 1950-51 in February last and the Tannah system cannot be abolished forthwith unless the tannahadārs are paid proportionate compensation for the remaining period of the year i.e. till 31.3.1951 as they have purchased the right of collecti of tannah fees for the whole year. Commencing from 1.4.50 to 31 951. So I suggest that the tannah system may be ordered to b bolished from the next financial year.

I also request that the instructions referred to in para of the above Government order may be communicated to me urgent

2/- The sale of the tannahs for the next financial year ommencing from 1-4-51 has to be notified in the first week of ecember, 1950. Unless the continuance or otherwise of the Tann ystem is decided now, the necessity of notifying the sale of th annahs for the next financial year will have to be considered.

I request that instructions may be issued to me at an arly date.

A copy of this office proceedings R.Dis. 6074-34 dated 6-12-35 which was issued for the guidance of the subordinate fficers regarding the duties and responsiblities of a Tannah ie in this district is enclosed for Board's information.

.....

opy of R.Dis. 6074/34 dated 26-12-35 from the Collector of S.Ka

..

rests-Tannahs-checking of permits-rules and sale notification- nstructions-issued.

All Revenue Divisional Officers, Tahsildars and Deputy hsildars are requested to go very carefully through the terms of the consolidated sale notification regarding the auction sale of the Tannah leases for 1936-37, issued to the Press, as soon as this notification appears in the District Gazette or as soon as they receive copies of the notification in advance of such publication.

2/- The notification issued by the Collector this year contains no new rules but it seeks to make many points clear. Th Collector considers that the administration of tannahs has suffer from neglect by all officers in the past. It should be noted fir of all that the Tannahdars have power to levy fees only in respec of firewood and not in respect of timber but their power of check permits extends to both firewood and timber. The sale of firewoo from Kumakis is permitted by Government under certain conditions;

such firewood is cut without any payment of seigniorage at the place of cutting but when it reaches towns, seigniorage is collected in respect of it by the Tannaldars. The position with regard to timber is different. Seigniorage is collected, when due, in respect of timber before the trees are cut and the Timber transit rules have no provisions, under which seigniorage can again be collected in respect of the timber. The attention of all Revenue Divisional Officers, Talisildars and Deputy Talisildars is invited to the instructions contained in this office circular R.Dis.12325/30, dated 4.2.1931 which refers to the cutting of trees from Kumaki's for purposes of firewood.

3. The duties of the Tannahadar are then different in respect of timber and in respect of firewood,. To state the matter briefly in respect of firewood, the Tannahdar is a contractor who has bought the lease; in respect of timber, he is purely the agent of Government bound to detect and report offences. This dual capacity should be remembered in understanding the responsibilities and duties conferred by the notification on Tannahdars.

Finance (Accts)

The Board's reference and its enclosures on pp 1-3 alone, ~~and~~ the notes of Rev on p. 1 alone ~~may be perused~~ and the draft memo below may be ~~accepted~~ passed.

26-4-57 Rev

26.4.57 Rev Dept

EAR

Please see the previous note of this Dept on p 11 of note of Board ~~on p 2 ante~~ and the finance wks above. ~~The~~ draft memo below may now issue.

26.4.57

26.4.57

26.4.57

Memo No 15980 Ag 51-2 dated 26/4

Trees-(South Kanara)-Sale of firewood from Kumaki lands. Continuance of the practice-with certain modifications - Orders issued - Date of giving effect to - orders -

f/ 12-13 C.F. p(3) Govt Memo No 2896 Revenue, dated 6. 11. 50

f/ 1-3 C.F. From the Board of Revenue, Ref B. 10677/50-1, dated 24. 2. 1951.

In the circumstances stated the Government directed that the orders in the Govt cited be given effect to from 1-4-51.

= C/

- p 13 C.F. p(5) 2/ The ~~report called for in the para 4 of the Govt~~ further report promised by the Board in para 2 referred to, is awaited.

Board of Revenue 26/4/51

Govt of South Kanara 6/5/51

Secretary 26/4/51

Section Officer 24/4/51

REVENUE DEPARTMENT.

Subject.

TREES - (South Kanara) - Sale of firewood from Kumaki lands - Continuance of practice with certain modifications - Instructions - Issued.

M A D R A S. Bd's Mis.348 dated 20-3-52.

From.

Sri A. F. Mascarenhas, I.A.S., Secretary, Board of Revenue.

Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

****

Read: 1. G.O. Ms. No.2896 Revenue dated 6-11-50.
2. From the Collector of South Kanara Ref. B.1.29399/50 d/12-10-51 and 22-11-51.

***

RESOLUTION:

In their order Ms. No.2896 Revenue dated 6-11-50 the Government have abolished the Tannah System in the South Kanara District and ordered that permits for removing fuel from Kumaki lands should be issued by the Tahsildars to the Kumakidars direct after payment of seigniorage fees into the Sub-Treasury concerned. In order to prevent the use of the above permits a second time, the Board issues the following instructions:-

2. An application for permit to cut trees in Kumaki land shall be made by the Kumakidar to the Tahsildar or Deputy Tahsildar having jurisdiction and it shall specify the number, the kind and the approximate quantity in terms of cart loads, of the trees to be cut and the S.No. of the land on which the trees stand. This application will contain the certificate of the Karnam of the village testifying to the correctness of the information contained in it. On receipt of this the Tahsildar or Deputy Tahsildar will have this entered in the personal Register of the clerk dealing with the subject, and direct the applicant to remit the prescribed seigniorage fees into the sub-Treasury. Where permits are refused for any reason, the petitioner will be closed. Where it is decided to grant permits the current will be transferred to the Taluk Register of permits in Appendix C. After collecting the seigniorage fees, the Tahsildar or Deputy Tahsildar shall issue a permit to cut the trees, to the applicant. These permits will be maintained in triplicate in bound books (Appendix A) These permit forms will bear printed serial numbers such Nos. running on continuously and not changing with the year and before issue, should be stamped with the stamp of the Taluk Office or Deputy Tahsildar's office. Annual Nos. commencing from the first July in each year may also be entered on all permits granted by the Tahsildar or Deputy Tahsildar.

3. The triplicate copy of the permit will be issued to the applicant and the duplicate copy will be forwarded to the Revenue Inspector. The Revenue Inspector should verify the the actual quantity felled and make the necessary entries in village Register, Appendix B. After verification he shall return the duplicate copy of the permit to the Tahsildar or the Deputy Tahsildar concerned with a certificate regarding the actual quantity felled, and the date of completion of felling. Where any excess in the quantity cut is noticed the Revenue Inspector will direct the applicant to remit the extra seigniorage fees in to the sub-Treasury. Where the quantity cut is less than that granted in the permit, the Revenue Inspector will recommend the refund of the proportionate seigniorage fees. In either case the fact will be noted by the Revenue Inspector on the back of the duplicate copy of the permit to be sent to the Taluk Office. The duplicate copy received from the Revenue Inspector will be attached to the counterfoil of the form in the Appendix A maintained in the Taluk Office and the date of its receipt will be noted in the Taluk Register of permits in Appendix C.

4. As soon as the verification certificate is received from the Revenue Inspector, the Tahsildar or Deputy Tahsildar shall issue a transport permit either in the name of the Kumakidar or in the name of the person whom he authorises to transport, after collecting the seigniorage fee for the excess quantity if any. The Tahsildar or Deputy Tahsildar should also issue a refund

voucher for the amount due to the applicant where the quantity actually cut is less than that allowed in the permit for which seigniorage fee has already been collected. . The transport permit book will be maintained in triplicate in the Taluk Office in the Form prescribed in Appendix D. These permits will bear printed serial Nos. The triplicate copy of the transport permit will be issued to the applicant. The duplicate copy of it will be sent to the Karnam for resubmission to the Taluk Office with his endorsement after the transport of the firewood takes place and after making the necessary entries in columns 9 to 14 of the village Register of permits. The Karnam should also write an endorsement on the triplicate copy of the transport permit regarding the date of transport and the place of destination and give it back to the applicant. At the same time he should recover from the transporter the triplicate copy of the cutting permit in Form A, and return it to the issuing authority along with the duplicate copy of the transport permit. These copies should be attached to the respective counter foils maintained in the Taluk Office. The Kumakidar or the person authorised to transport the firewood should be instructed to produce the triplicate copy of the transport permit available with him to the headman of the village of destination, who should write an endorsement on it testifying to the completion of transport with date and the transport will then surrender the same to the issuing authority. On its receipt, it will be attached to the counter foil of the form in Appendix D.

5. Before issuing a permit for cutting firewood to an applicant the issuing officer should verify whether any triplicate copy of the permit for felling or transporting firewood issued previously is outstanding from him and if it is still due, he should be asked to produce it before granting a new permit. Unless such production is insisted upon, the Kumakidars may not care to surrender the permits used already. The Tahsildars and Deputy Tahsildars and Revenue Inspectors should bear these instruction in mind and take every precaution to see that the permit issued is not used more than once. The Tahsildar and Dy. Tahsildars should overcheck at least 10% of the cases in which they have issued permits for cutting firewood.

6. A copy of the instructions issued to the Collector is submitted to the Government for their information with reference to para 3 of their order cited.

for Secretary.

To

The Collector of South Kanra (Paras 1 to 5 only)
with appendices.
The Secretary to the Government Revenue Department.
(Whole) with appendices.

Appendix IV.

Printed No.
Counterfoil

Number

Permit for cutting fire wood trees on collection of seigniorage fee from Kumoki lands.

Name & address of person to whom permit is grante

Taluk

Village

S.No.(No. of Warg)

No. Description and quantity of trees to be cut

Amount of seigniorage fee paid

Chalan No. & date.
This permit is valid upto

Date:

TAHSILDAR

Printed No.
Duplicate

Number

Permit for cutting fire wood trees on collection of Seigniorage fee from Kumoki lands.

Name & address of person to whom permit is granted.

Taluk

Village

No. of Warg)S.No.

No. Description & quantity of trees to be cut.
Amount of seigniorage fee paid

Chalan No. & date.
This permit is valid upto

Date:

TAHSILDAR

Printed No.
ORIGINAL

Number

Permit for cutting fire wood trees on collection of Seigniorage fee from Kumoki lands.

Name & address of person to whom permit is granted

Taluk

Village

(No. of warg) S.No.

No. Description & quantity of trees to be cut.

Amount of seigniorage fee paid

Chalan No. & date.
This permit is valid upto

Date:

TAHSILDAR

District South Kanara (To be obtained by each SHANBAGU for the groups of villages in his charge.)

Village	No. & date of transport permit	Name & address of the holder of the transport permit	No. & date of transport permit	Date of receipt of the transport permit by the Shanbogue	Date of receipt by the Revenue Inspector to the Taluk Office.	Date of the permit by the Revenue Inspector to the Taluk Office.	Volden shown in the outline. permit	No. and date of permit	Description of trees and quantity for which the outline permit has been issued.	No. & date of transport permit	Volden shown in the outline permit	Date of return or destruction.	Name & address of the holder of the transport permit	Description of trees and quantity for which the outline permit has been issued.	Name of the Taluk Office from which the outline permit was issued.

TALUK REGISTER OF PERMITS, ISSUED FOR CUTTING FIREWOOD FROM [illegible]OKI LANDS AND THEIR TRANSPORT

Districts South Kanara.

TALUK

S.No. Current No. in the personal register.	Name and address of the holder of the cutting permit	Name of the village	S.No. from which firewood is to be cut.	Description of the trees & quantity for which the cutting permit has been issued.	No. & date of permit issued.	Date up to which cutting permit is valid.	Date of receipt [illegible] cutting permit in the Taluk Office from the Revenue Inspector	No. & date of transport permit	Name and address of the holder of the transport permit	[illegible]hich and destina[illegible] as shown in the [illegible]nsport permit	[illegible] of receipt [illegible] the transport permit in the Taluk Office from the Shanbogue	Remarks (Here enter the particulars of excess seigniorage fee to be refunded and the No. & date of the refund voucher.)

APPENDIX-B

Permit No.

(Counterfoil to be retained by the issuing officer)

1. Name and address of person to whom permit is granted
2. Quantity
3. Description & value
4. Route
5. Time allowed
6. Remarks.

Signature and Designation of Issuing Officer

Permit No.

(Counterfoil to be sent to the Shanbogue)

1. Name and address of person to whom permit is granted
2. Quantity
3. Description & value
4. Route
5. Time allowed
6. Remarks.

Signature & Designation of Issuing Officer.

Permit No.

(ORIGINAL)

1. Name and address of person to whom permit is granted.
2. Quantity
3. Description & val
4. Route
5. Time allowed.

Remarks.

Signature of the Shanbogue

Signature of the headman or shanbogue of the village of destination.

Signature & Designation issuing officer.

Note: This must be surrendered to issuing authority immediately after

... since A.Sh. 16.4.52

pb 12-13 CF of (S)

p.f. 7-xpf

R.19/5 4/b

p.11 CF of (S)

the Bd. of Rev.

Trees — (South Kanara) — Sale of firewood from Kumaki lands — Continuance of practice with certain modifications.

G.O.Ms.No. 2896, Rev., dated 6.11.50.
From the Board of Rev., B.P.Mis. 348, dated 20.3.52.

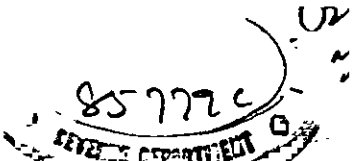
The Board of Rev. is requested to state when its report on the question of revision of seigniorage fees promised by it in the last sentence of para 3 of the Resolution in B.P.Rt. 3901/50, dated 20.6.50 may be expected.

A.Sh.
14.4.52

15/4/52

14/4/52

Revenue Department
Subject



es- (South Kanara) Sale of firewood from Kumaki lands- tinuance of ~~xxx~~ practice with certain modifications .

tion :Madras L.Dis.B.3236/52 dated 27.10.52.

om

Sri A.F.Mascarenhas,I.A.S.,Secretary,Board of Revenu
Sri S.A.Venkataraman, I.C.S.,Commr.of Land Revenue.

1: Govt.Revenue Dept., memo 15980 C/51.6 dated 15.4.52.
do 51-7 Dated 30.6.52.

IS:--

The Board invites the attention of the Government to their er Ms.6738 Dev.dated 19.11.51 in which they have approved the ~~is~~toned rates of seigniorage fees.

Signed

R Venkataraman

For Secretary.

Secretary to Government, Revenue Department.
.27.10

Copy of the G.O.Ms.No.5738 Development dated 19-11-1951.

Sub: BOOKS AND PUBLICATIONS - The Madras Forest Manual, Volume I - Seigniorage rules - Amendment - Proposal - Approval.

Ref: Memorandum No.48411-C.II/50-23 dated 3-8-1951.
From the Chief Conservator of Forests No.11864/49-E2 dated 15-9-1951.
From the Board of Revenue B.8589/51-1 dated 5-10-1951.

ORDER:

The Chief Conservator of Forests and the Board of Revenue have proposed that the existing Rule 1 of the Seignoriagex rules on page 115 of the Madras Forest Manual Volume I, may be amended so as to read as follows:---

> "The rates of seignorage at which permits for the removal of timbers of unreserved trees and other forest produce will be issued shall be three times the rates as shown in the annexure".

The Government accept the above proposal.

2. The Board of Revenue is requested to expedite its final report on the estimated revenue to the Government on account of th increased rates of seigniorage.

J.M. LOBO PRABHU,
Secretary to Government.

/True copy/

Trees - (South Kanara) - sale of firewood from Kumaki lands - continuance of practice permanently and amendment of Rules under the Madras Forest Act.

GC

TO AS II

In G.O. No 2916 Rev. dated 19.12.4 the Govt. sanctioned for the duration of the W the continuance of the practice under which the Kumakkidars in the South Kanara dist. were permitted to sell firewood from their Kumaki lands subject to the payment of Tannah fees to the Tannadhars, though such practice was not authorised by the orders of the Govt. or by the rules framed under section 26 of the Madras Forest Act. In 1942 the question of continuing the practice as a permanently measure was considered and the Bd. was then told that the question had been deferred for the duration of the War. The Bd. was also told that the question of amending the General rules under section 26 of the Madras Forest Act would also be deferred. The examination of question was postponed as conditions had not returned to normal even though the War had ended. The question has now been taken up in reference to orders at bottom of p. 18 N.F. G.O. No 2100 Rev. dated 19.9.1942.

2 conditions have not yet returned to normal though nearly three years have elapsed after the end of the War. There is however no information available with the Govt. to show that the practice of the Kumakkids

Mining ~~Adviser~~ Inspectorate from their remarks on ill continues. If it is proposed that that the whole should be examined afresh now, the remark of the Rd. officer and the C.C.P. may be in the first instance. Dev. may see.

..Leg. 8/2/49

9.2.49

Dev.

Dev. Deptt.

Rev no. 1804 Leg-I

Notes on pp 1-2 above may be read. 9.2.49

For orders whether 'A' above will be ~~accepted~~ agreed to in this Dept.. After orders are passed, the file may be returned to ~~Division~~ - Rev. U.O.

11/2/49 Rev.

Dev. Deptt 1807 Leg

11/2/49

Notes from p1 might read.

It is presumed that the intention of Dev. is that the question should be examined afresh in consultation with the Rd. officer of the CCP

2/ the draft memo. below is for approval.

15-2-49

26/2/49

ADDITIONAL DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA
85 C
12 FEB
DELHI

Revenue Department.

From the Bd. of Rev.Rt.3901/50 dated 30-6-50.

To A.S.

Please see the Board's ~~Refee.~~ Proceedings on pp.3-11 c.f.

2.The file deals with the proposal of continuance of the practice under which the Kumakidars in the South Kanara district are permitted to sell firewood from their Kumaki lands subject to the payment tanah fees to the Tanahdars. This question was considered in 1941 and in G.O.No.2916, Revenue, dated 19-12-41 the Government sanctioned the continuance of this practice for the duration of the war though thi practice was not authorised either by the orders of the Government or by the rules framed under section 26 of t Madras Forest Act. Also in 1942, the question was considered and the matter was deferred along with the question of amending general rules under section 26 of the Madras Forest Act. ~~Also in 1942 the question was considered and the matter was deferred along with the question of amending general rules under section 26 of the Madras Forest Act.~~ Since then the examination of the question was postponed from time to time as conditions had not returned to normal even though the war had ended.

3. Kumaki lands are peculiar to the South Kanara district. Kumaki land is described as Government waste land within one hundred yards of assessed lands included in wargs formed prior to Fasli 1276, the word 'warg' being used in South Kanara to denote a holding or Estate, not necessarily one compact block. A history of these Kumaki lands as given on pp.16 and 129-30 of the District Manual is as follows:-

"In 1822, though it was still held that large areas of forests were private property, an attempt was made to define them and lists were called for of all th

overnment forests in the district. Orders were, at the ame time, issued that, when a Government forest adjoined ultivated land, a margin of 100 yards was to be left as Kumaki' (aid) to the cultivation. This was the same term s was in use to designate the aid afforded to all valley ultivation by the forest growth on the hill slopes up to the ettikatt (crests of hills overlooking cultivated alleys) but as time wore on and the rights of Government ere more and more asserted from ~~1838~~ 1839 on-wards, the origin nd limited nature of the '100 yards Kumaki' got lost ight of and Kumaki has come to mean a semi-proprietary ight to forest within 100 yards of all cultivation while he old 'nettikatt right' has become nothing more than a ommon usufruct of the open hill side for grazing and the ollection of leaves for manure and sticks for fuel and encing".

Extracts on pp 20-25 of (W)

4. The privileges which a kumakidar could enjoy ver his Kumaki lands are defined in para II of the egulations issued for the management of Kumaki lands n the district of South Kanara - vide notification ppended to G.O.No.302 dated 1st July 1896.

× p 68 of (W

× (W) — pp 67

General Rule 7-A under section 26 of the Madras orest Act provides for the Kumaki privilege of cutting, onverting, collecting and removing trees, timber and other orest produce subject inter alia to the condition that the trees etc. shall be ~~need~~ used for agricultural or domestic urposes in the villages in which Kumaki land is situated r in such other villages as the Collector may permit. This ule does not restrict the use of the timber for the Kumakidars own purposes and it is not clear whether it permits the Kumakidar to sell to merchants, what he does not require himself. However it has been the practice in South Kanara district to permit Kumakidars to sell firewood from their Kumaki lands subject to the payment of seigniorage fees. This ractice appears to have been recognised at the time of issue f the Kumaki rules in 1896. The legality of this practice as examined and it was decided in G.O.No.2916, Revenue

pp 111-112 of Bk Print

pl see memo on pp 6-7 of (M)

Vide note on pp 6-7 (A)

pp 21-22 of

dated 19-12-1941,

(a) to permit its continuance during the duration of the war

and (b) to consider its permanent continuance afte the ~~creation~~ cessation of war.

Though the war ended in 1946 the conditions did not return to normal and the examination of the question was postponed from time to time.

5. In memo on pp.1-2 c.f. the Board of Rev. was asked to report whether the practice under which the Kumakidars in the South Kanara District were allowed to sell firewood from their Kumaki lands subject to the payment of tannah fees to Tannahdars still continues and, if so, to offer its remarks on the question, in consultation with the Chief Conservator of Forests, whether the practice should be allowed as a permanent measure. The Board of Revenue has submitted copies of the reports of the Collr. of S. Kanara, the D.F.O., S.Kanara and the Chief Conservator of Forests in the matter. It will be seen from the Collr.'s report that the practice under which the Kumakidars were allowed to sell firewood from their Kumaki lands still continues, that the existing practice under this system is for the Kumakidar to sell the firewood and for the purchaser to apply to the Tahsildar for a permit to transport it from the Kumaki lands, that the Tahsildar issues a permit after enquiry and that the permit holder transports the firewood to the towns after paying the ~~seigniorage~~ value of the firewood at the tanah. The Collr. states the existing system has given rise t the following abuses on account of the high cost of firewood prevailing at present:—

1) Under the rules, only firewood trees are be removed from Kumaki lands, but in practice has been observed that classified and reserved trees are also removed stealthily on the pretext

2) Though permits are issued subject to the condition that the tannah fees are paid at the tannah, there is no check to see that the permit holder takes the firewood to the tannah with the resul that he may take a route which by passes a tannah or sell the firewood in the suburbs of the town before reaching the tannah, and

3) There have also been complaints against the Tannahdars that they are making illegal collectior

It will also be seen from the Collr.'s report that this system of allowing Kumakidars to sell firewood from their Kumaki lands was in vogue ever since the Forest Act was enacted and the Rules thereunder were framed, that it induces the Kumakidars to conserve the tree growth in their kumaki lands, that it is a source of firewood supply to the towns of the district, that if the system is discontinued the kumakidars will not take interest in conserving the tree growth and that it may lead to shortage of firewood and the consequent increase in its price. For these reasons the Collr. is of the opinion that it is not desirable to discontinue the practice at present.

6. The Chief Conservator of Forests is for the scrapping out of the whole system as the concessions allowed to the Kumakidars are being ruthlessly abused under cover of the system. The Collr. states that there are no doubt abuses of the privilege as in every other case of concessions and privileges, that the sudden and arbitrary discontinuance of a long-standing practice because it has come to be abused by some unscrupulous Kumakidars will have repurcussions on and materially upset, the economy of the towns viz. that the steady supply of firewood would be broken thereby bolstering up the price of firewood which is already high. He has also added that, ~~in Kumakis~~

within a few years of clearance of tree growth a new forest is created by the system of conservation and that if the present privilege is withdrawn there will be no incentive for him to conserve the growth and that neither the Govt. nor the people stand to gain by such a policy. For these reasons and for the reasons mentioned at M on p.5 ante the Collr. recommends that the present system may be allowed to be continued for a period of three years with the following modifications in the procedure to be followed in the grant of permits and its working ordered to be reviewed at the end of three years:

1) The permits for removing fuel from Kumaki lands may be issued by the Tahsildars to the Kumakidars direct after payment of ~~sergamorage~~ seigniorage fees into the sub treasury concerned, thereby abolishing the practice of having tannahs in the outskirts of the several towns.

2) The existing seigniorage fee which was fixed several years ago in 1921 and which is many times less than the current market price of firewood may be enhanced by two times for firewood and timber.

7. The Board has supported the recommendations of the Collr. that the practice may be continued for 3 years ~~before it is converted~~ into a permanent measure and the results carefully watched ~~into a permanent measure~~ before it is converted into a permanent measure. The Board also recommends the abolition of the Tanah system and the approval of the alternative proposal submitted by the Collr. ~~at X on p.7 ante~~ above with a suitable modification to ensure that the same permit is not used more than once. In regard to the ~~revising~~ revision of the existing rates of ~~sergamorage~~ seigniorage fees, the Board states that it is considering the matter separately and a copy of its decision will be submitted to Government as soon as one is taken.

8. It is for orders whether the Government may agree with the following recommendations of the Bo Revenue:-

1) continuance of the practice under whic the Kumakidars in the ~~Kanara~~ S.Kanara district are permitte

sell firewood from their Kumaki lands for a period of three ars and the results carefully watched to see whether could be made a permanent measure, and

2) the abolition of the "Tannah system and the bstitution of the alternative proposal submitted by e Collr. If it is proposed to accept (2) above the ~~Collector of Revenue South Kanara~~ Board may be asked how ~~he~~ proposes to devise a thod to ensure that the permit issued by the Tahsildar not used more than once.

9. Development and Finance may see for remarks in the rst instance.

15/7/50

50.

The Board's recommendations may be accepted.

19.7.50

79571

Dev

Rev

Dev (Cii)

To A.S.

Notes from p 3 above may be perused. W.r.to 'N' on p 6 above, this dept. may suggest circulation to H.M. (Prohn).

The file may be passed on to Fin (Hirw) F & A.

26/8/50

28.8.50

FIFTH ASSISTANT SECRETARY

DEVELOPMENT

ADMINISTRATIVE ASSISTANT SECRETARY

28 AUG 1950

28 AUG

Notes from P. 3 above may be perused. No special remarks seem called for in this Dept. ~~The case may be circulated to Hon'ble Food) Agri. also before issue of final orders.~~

The file may be passed on to Fin. Dept.

3/9 3.9.50 8/9/50.

10/9/50 may 11/9/50

Secy/Fin

~~I find that the Rev Department's note is incomplete. I do not see the last portion of it~~

mal 11/9/50

SENIOR ASSISTANT SECRETARY, FINANCE DEPARTMENT 13SEP1950 79267 GOVERNMENT OF MADRAS

may 11/9/50

1/9.0

1 A.U.O. No 565 99 F/50-1 12.9.50

Fin (Accts)

The Rev Department's note on pp 3 to 8 above explains the proposal. Finance also may agree to the acceptance of the Board's proposals.

H. M. (Fin) may also see.

8/9 18/9/50

AV 19.9.50

DRR 20/9/50 Rev

w 79267 Acts-1 20.9.50 C.F.

ASST. SECRETARY TO GOVERNMENT 21 66306 GENERAL DEPT. SECRETARIAT

Rev. Dept.

To AS.

Please see the notes from page 3 ante.

2. The file deals with the proposals for the continuance of the practice under which the kumakkaras in South Kanara district are permitted to sell firewood from their kumaki lands and for the abolition of the tanah system. Development Food and Agriculture, and Finance agree

the proposals.

A draft order is submitted for approval. A file may be circulated to H.M. (R), H.M. (Pro) and H.M. (Fin) for approval of the aft order.

C.S. only [illegible] made note [illegible] to para 4 of the

2/10/50

2/10/50

2/10/50

26/9/50

9.9.50.

4.10.50

H.M.(Agri.) may also see.

16/X

10/10/50

H.M. (Fin.)

1.11

3/11

H.M. (R.) / H.M. (Prod.) /

DEPUTY SECRETARY TO GOVERNMENT 3 NOV 1950 REVENUE DEPARTMENT

Trees - (South Kanara) - Sale of firewood from kumaki lands - Continuance of practice with certain modifications.

From the Board of Rev. Ref No. B. 10677/50-1 Dated 24th Feb. 1951

Govt. memo No. 15980 C/51-2 Dated 26-4-51

From the Bd of Rev Rev. Mis. 348 Dated 20-3-52.

To A.S.

Please see the Board's Proceedings Mis. on pp 1-8 C7.

2. In their order No. MS 2896, Rev, Dated 6-11-50 the Govt abolished the Tannah system in the South Kanara district and ordered that the permits for removing fuel from kumaki lands should be issued by the Tahsildars to the kumarkidars direct after payment of seigniorage fees into the Sub treasury concerned. In para 3 of that order the Board was also asked to devise a method and to issue suitable instructions to see that the same permit was not used more than once and to submit a copy of its instruction to Government for information. The Board's Proceedings on pp 7-8 C7 contain the instructions issued in the matter. They seem to be sufficient for the purpose. No action therefore seems called for.

3. The Board's report on the question of revision of seigniorage fees promised by it in the last sentence of para 3 of its Resolution

~ p 11 C.F. of (S) has not yet been received. The Board may be reminded to expedite its report.

4. Dr. Venkatasam Dev may see.

20/3/52 4/4/52 D.S. 7-1

Dev 39749 CII/52 9-4-52

DEVELOPMENT DEPARTMENT 9 APL 1952

Rev dept. notes on pp 1-2 above may be perused and the file returned to Rev.

4/52

Revenue. 39749 CII/52 12-4-52.

Revenue Dept.

To A.S.

Please see the notes on pp. 1-2 above. A draft Memo. reminding the Board of Rev. is submitted for approval.

14/5/52

A.R. 14.4.52.

14/4/52 From the Board of Rev., L. Dis. B-3236/52, dt 27.10.52.

2184be

14 CF. Cr

14/4/52

A.S.

Please see the notes on pp. 1-2 above and the Board's . on p. 14 C.F.

2. The Board of Revenue was asked to report on the stion of revision of seigniorage fees promised by it in last sentence of para 3 of its Resolution on p. 11 C.F. (S). The Board has submitted a report on the question ich is at p. 14 C.F. It has invited the attention of the ovt. to G.O. Ms. No. 5738, Dev., dated 19-11-51 in which een issued enhancing the seigniorage rates

para 3, pp 1-2 above

p. 14 CF.

Copy at (a) - orgl not readily ... vide routine pap. ...

by three times - copy put up at (Q). In view of these orders no further action ~~is~~ in this file seems called for. The papers may be lodged and stitched with G.O. Ms. No. 2896, Revenue, dated 6-11-1950. (copy of G.O. is to be sent to Dev Q)

A.M. 26.1.53. R 29.1.53

Q 19-11-51 should also be stitched with (S)

Subdt. will be done after the file is passed by D S.
A.M. 2253

31.1.53

DS 2.2.53